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ATTEST

By Tammie Brooks on Aug 19, 2010

FOR THE UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION**Filed**

AUG 19 2010

UNITED STATES JUDICIAL PANEL

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
MULTIDISTRICT LITIGATION
SAN JOSEUNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

Aug 04, 2010

FILED
CLERK'S OFFICE**IN RE: WACHOVIA CORP. "PICK-A-PAYMENT"
MORTGAGE MARKETING AND SALES
PRACTICES LITIGATION****CV 10-03692JF**

Joseph Henning v. Wachovia Mortgage Corp.,)

D. Massachusetts, C.A. No. 1:09-11053)

MDL No. 2015

Bernardo Bettinelli, et al. v. Wells Fargo Home Mortgage, Inc.,)

D. Massachusetts, C.A. No. 1:09-11079 Opposed 8/19/10)

CONDITIONAL TRANSFER ORDER (CTO-5)

On February 13, 2009, the Panel transferred three civil actions to the United States District Court for the Northern District of California for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. *See* 598 F.Supp.2d 1383 (J.P.M.L. 2009). Since that time, five additional actions have been transferred to the Northern District of California. With the consent of that court, all such actions have been assigned to the Honorable Jeremy D. Fogel.

It appears that the actions on this conditional transfer order involve questions of fact that are common to the actions previously transferred to the Northern District of California and assigned to Judge Fogel.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), these actions are transferred under 28 U.S.C. § 1407 to the Northern District of California for the reasons stated in the order of February 13, 2009, and, with the consent of that court, assigned to the Honorable Jeremy D. Fogel.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the Northern District of California. The transmittal of this order to said Clerk shall be stayed 14 days from the entry thereof. If any party files a notice of opposition with the Clerk of the Panel within this 14-day period, the stay will be continued until further order of the Panel.

Inasmuch as no objection is
pending at this time, the
stay is lifted.

Aug 19, 2010CLERK'S OFFICE
UNITED STATES
JUDICIAL PANEL ON
MULTIDISTRICT LITIGATION

FOR THE PANEL:

Jeffery N. Lüthi
Jeffery N. Lüthi
Clerk of the Panel

Thereby certify
been opened
District of California

ATTEST

RICHARD W. WIEKING
Clerk, U.S. District
Northern District of
California

Deputy
Date 8/31/10